

SPEAKER WITHEM: House is under call. Members, please return. The house is under call. Please check in. Senator Chambers, as you know, the time is running on your closing. Do you wish to go ahead and close as they're coming in or wait until they arrive?

SENATOR CHAMBERS: No, I will begin to close. I'd like to ask Senator Schmitt a question.

SPEAKER WITHEM: Senator Schmitt.

SENATOR SCHMITT: Yes.

SENATOR CHAMBERS: Senator Schmitt, do you think this language that I'm trying to strike needs to be in the law to make officers enforce the law as they should?

SENATOR SCHMITT: Well, I don't know if it actually needs to be in there but I think it's...there's nothing wrong with putting it in there, Senator Chambers, because I do think it makes it discretionary and, like I say, I think they need discretion in enforcing the law.

SENATOR CHAMBERS: So then you will oppose my amendment.

SENATOR SCHMITT: I thought you were wanting to put the discretion in there.

SENATOR CHAMBERS: Here's...here's.. the way the law is now, and I gave the example, the way the law is right now there's a mandatory duty on these officers to enforce the law. But there are situations and we all know where not every law can be enforced in all situations.

SENATOR SCHMITT: Right.

SENATOR CHAMBERS: If you put this language in that I'm trying to strike it indicates that there really is not a mandatory duty to enforce the rest of the Rules of the Road but only this one provision with the maximum speed limits. It's placing a higher requirement on the officers with this language, if the Legislature has its way, than exists on them now. It's saying that without this language you will not enforce the law as you should. My contention is that the duty to enforce the law is